

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

GLORIA SUN JUNG YUN,

Plaintiff,

v.

GLADIACoin.COM, et al.,

Defendants.

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:CIVIL ACTION NO. 3:17-CV-1267
:
:(JUDGE MARIANI)
:(Magistrate Judge Mehalchick)
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ORDER

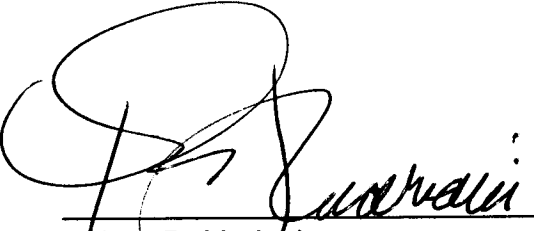
AND NOW, THIS 6th DAY OF JANUARY 2020, upon review of

Magistrate Judge Mehalchick's Report and Recommendation ("R&R") (Doc. 25) for clear error or manifest injustice, **IT IS HEREBY ORDERED THAT:**

1. The R&R (Doc. 25) is **ADOPTED** for the reasons set forth therein;
2. Defendant GoDaddy.com, LLC's Motion to Dismiss (Doc. 21) is **GRANTED**;
3. Defendant GoDaddy.com is **DISMISSED** from this action **WITHOUT PREJUDICE**;
4. Plaintiff is granted leave to file an amended complaint addressing the deficiencies set out in the R&R **within fourteen (14) days** of the date of this Order;¹

¹ A district court must extend a plaintiff an opportunity to amend before dismissing a complaint unless amendment would be inequitable or futile. See *Grayson v. Mayview State Hosp.*, 293 F.3d 103, 108 (3d Cir. 2002). While it appears likely that amendment would be futile in this case, the Court extends Plaintiff the opportunity to amend in an abundance of caution.

5. Failure to timely file an amended complaint will result in Defendant GoDaddy.com being dismissed from this action **WITH PREJUDICE**;
6. This case is **REMANDED** to Magistrate Judge Mehalchick for further handling of pretrial proceedings.



Robert D. Mariani
United States District Judge